

**WALLA WALLA CITY COUNCIL**  
**Regular Meeting Minutes**  
**February 26, 2014**

**1. CALL TO ORDER**

Mayor Pro Tem Plucker called the meeting to order at 7:00 p.m.

Present: Councilmembers Jim Barrow, Barbara Clark, Mary Lou Jenkins, Dick Morgan, Allen Pomraning, and Mayor Pro Tem Chris Plucker.

Absent: Mayor Jerry Cummins.

City staff in attendance: Acting/Deputy City Manager Tim McCarty, City Attorney Tim Donaldson, Public Works Director Ki Bealey, Parks & Recreation Director Jim Dumont, and City Clerk Kammy Hill.

**2. PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE**

Councilmember Clark led the pledge of allegiance followed by a moment of silence.

**3. PUBLIC COMMENTS**

No one in the audience chose to address the City Council at this time.

**4. CONSENT AGENDA**

City Clerk Hill introduced the Consent Agenda, Items A through M, as follows:

- A. Washington State Liquor Control Board: New application for Mansion Creek Cellars, 6 W. Rose Street, Suite 105.
- B. Washington State Liquor Control Board: New application for Elephant Seven Wine Company, 1121 E. Alder Street. (Subject to applicant obtaining any necessary permits from the Joint Community Development Agency.)
- C. Washington State Liquor Control Board: New application for Las Chiquillas Mexican Restaurant, 428 Ash Street. (Subject to applicant obtaining any necessary permits from the Joint Community Development Agency.)

**WALLA WALLA CITY COUNCIL MINUTES**  
**FEBRUARY 26, 2014**  
**PAGE 2**

- D. Washington State Liquor Control Board: Special occasion license for Walla Walla Valley Wine Alliance at the GESA Powerhouse Theatre on March 20.
- E. Washington State Liquor Control Board: Change of corporate officers/stockholders application for the Green Spoon, 13 E. Main Street.
- F. Resolution No. 2014-18 authorizing the City Manager to execute an amended professional services agreement between the City and Anderson-Perry & Associates, Inc., to execute additional amendments, modifications, and change orders thereto, and taking such further action needed therewith. (2015 Rose Street TBD project)
- G. Resolution No. 2014-19 adopting a Community Development Block Grant (CDBG) citizen participation plan, and taking other action related thereto.
- H. Resolution No. 2014-20 authorizing the City Manager to apply for an offset cycle grant, authorizing grant acceptance, and taking other action related thereto. (Purchase of a screener for the City's compost facility.)
- I. Resolution No. 2014-21 authorizing the City Manager to apply for an offset cycle grant, authorizing grant acceptance, and taking other action related thereto. (Aerated static pile composting pilot project).
- J. Resolution No. 2014-22 declares certain equipment as surplus and authorizes the City Manager to sell or dispose of it.
- K. Resolution No. 2014-23 awarding the contract for improvements to the Bryant Creek Culvert improvement project in the vicinity of 3<sup>rd</sup> Avenue to Columbia Pumping and Construction, and taking such further action needed therewith.
- L. Approval of minutes of the Work Session held February 10, 2014.
- M. Approval of minutes of the regular meeting held February 12, 2014.

**WALLA WALLA CITY COUNCIL MINUTES  
FEBRUARY 26, 2014  
PAGE 3**

There was discussion on the importance of having high citizen participation in the Community Development Block Grant meetings and holding meetings in specific neighborhoods. Councilmember Clark requested this item be removed from the Consent Agenda for separate consideration.

Mayor Pro Tem Plucker invited public input. No one in the audience chose to address the City Council on any of these items.

**Councilmember Barrow moved to adopt Consent Agenda Items A through M with the exception of Item G. Councilmember Pomraning seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.**

G. Resolution No. 2014-19 adopting a Community Development Block Grant (CDBG) citizen participation plan, and taking other action related thereto.

After brief discussion, Council determined that language was included in the citizen participation plan to ensure the broadest representation, including holding meetings within neighborhoods that are predominately low or moderate income.

Mayor Pro Tem Plucker invited public input. No one in the audience chose to address the City Council on this issue.

**Councilmember Barrow moved to adopt Resolution No. 2014-19. Councilmember Clark seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.**

**6. ACTIVE AGENDA**

A. Public hearing on Community Development Block Grant (CDBG) Consolidated Plan.

Acting/Deputy City Manager McCarty reported the City is in the very beginning states of becoming a direct-entitlement City to receive CDBG funds. The use of these funds is yet to be determined and will take several months of work. The goal is to determine the best uses for low and moderate income residents. Mr. McCarty reviewed:

- Walla Walla as an entitlement City means the City is eligible for annual CDBG funding from the U.S. Department of Housing and

**WALLA WALLA CITY COUNCIL MINUTES**  
**FEBRUARY 26, 2014**  
**PAGE 4**

- Urban Development (HUD) in lieu of having to compete in the Washington State Small Cities CDBG program. The estimated funding for Walla Walla in 2014 is \$268,000.
- Eligibility requirements include:
    - Citizen Participation Plan
    - Five year need-driven, place-based consolidated CDBG plan.
    - Annual action plan.
    - Annual performance evaluation report.
  - CDBG goal is the development of viable communities by provision of a suitable living environment and expanding economic opportunities principally for low and moderate income persons.
  - CDBG national objectives are:
    - Benefiting low/moderate income persons.
    - Homelessness.
    - Special needs.
    - Economic and community development.
    - Preventing or eliminating slums and blight.
    - Meeting urgent needs.
  - Eligible housing activities:
    - Rehabilitation and renovation.
    - Refinancing.
    - Energy improvements.
    - Water conservation improvements.
    - Connection to water and sewer lines.
    - Some homeowner insurance premiums.
    - Lead-based paint testing and abatement.
    - Code enforcement.
    - Historic preservation.
  - Eligible public facilities and improvement activities include:
    - Streets, sidewalks, water and sewer lines, and parks.
    - Neighborhood/community facilities and facilities for persons with special needs (e.g. homeless shelters, group homes, and halfway houses.)
  - Eligible public service activities are job training and employment services; health care and substance abuse services; child care; crime prevention; and fair housing counseling.
  - Eligible economic development activities are microenterprise assistance; commercial rehabilitation; and special economic development activities.
  - Eligible planning and administration activities include comprehensive plans; community development plan (including the

**WALLA WALLA CITY COUNCIL MINUTES**  
**FEBRUARY 26, 2014**  
**PAGE 5**

- CDBG Consolidated Plan); functional plans; and other plans and studies.
- Eligible activities of assistance to nonprofit development organizations are community revitalization, community economic development, and energy conservation.
  - Ineligible activities include:
    - Buildings for the general conduct of government.
    - General government expenses.
    - Financing for political activities or to engage in other partisan political activities.
    - Purchase of equipment is generally ineligible.
    - Operating and maintenance expenses of public facilities, improvements, and services.
  - Where the City is in the CDBG eligibility process:
    - Citizen participation plan draft publication and comment period complete.
    - First public hearing on consolidated plan.
    - Community outreach underway.
    - Accepting public comments on priority needs and resources.
  - Next steps:
    - Assemble data.
    - Determine priority needs and resources (Community outreach; comprehensive plan).
    - Prepare draft CDBG consolidated plan and annual action plan.
    - Publish for public comment.
    - Submit to HUD prior to August 16, 2014.
  - Comments should be submitted to Linda Kastning at City Hall.

Mayor Pro Tem Plucker declared the public hearing open at 7:21 p.m.

Councilmember Barrow reported a letter dated February 25 had been received from Steve Moss, Blue Mountain Action Council, regarding the adverse impact on their CDBG funding by the City becoming a direct-entitlement City.

Tim Meliah, 3093 Old Milton Highway, Walla Walla, representing the Youth Alliance, explained the goals of the youth alliance and the need to provide safe shelter for homeless youth. There is an emergent need for a multi-purpose facility and he hopes there may be capital and operational funds to assist with this effort.

**WALLA WALLA CITY COUNCIL MINUTES**  
**FEBRUARY 26, 2014**  
**PAGE 6**

There being no further public comments, Mayor Pro Tem Plucker declared the hearing closed at 7:26 p.m.

No action was taken by Council.

B. Report and proposal by Friends of the Pioneer Park Aviary.

Deputy City Manager McCarty introduced Shane Laib and Craig Keister of the Friends of the Pioneer Park Aviary.

Craig Keister, 761 Abbott Road, Walla Walla, reported the Friends of the Pioneer Park Aviary were discouraged by the City Council's action and have been discussing ways to bridge the gap and find ways to save the aviary. The Friends of the Pioneer Park Aviary believe they have a viable plan.

Shane Laib, 1048 Frankland, Walla Walla, President of the Friends of the Pioneer Park Aviary (FoPPA), introduced the Board members in attendance and commended Parks & Recreation Director Dumont for his help in developing a viable proposal. Mr. Laib reviewed the Friends of the Pioneer Park current proposal as a result of a meeting held February 18 with Mayor Cummins, Mayor Pro Tem Plucker, Councilmember Clark, Acting/Deputy City Manager McCarty, and Parks & Recreation Director Dumont:

1. The FoPPA will immediately begin fundraising for the capital dollars necessary to complete the large pond rebuild (\$185,000).
2. Benchmark dates will be set and mutually agreed upon, however the following are being offered (1/3 of the capital dollar amount every 60 days):
  - April 30 - \$65,000
  - June 30 - \$65,000
  - August 31 - \$55,000
3. Contributions will be asked for from individuals, corporations, and granting agencies using multiple approaches. Commitments will be received in the form of pledges unless otherwise agreed upon.
4. During this time the City of Walla Walla will continue to operate the aviary per the appropriated 2014 budget amount which consists of the \$36,500 allocation and the Utility Round-Up of \$10,000. FoPPA will raise the balance of \$8500 to cover the difference.
5. At the time that the conditions of Item #1 are met, FoPPA will take over the operational and financial responsibility of the Pioneer Park Aviary on January 1, 2015. Details to be addressed include:

**WALLA WALLA CITY COUNCIL MINUTES**  
**FEBRUARY 26, 2014**  
**PAGE 7**

- A lease agreement must be executed before the transition takes place with a nominal fee.
  - FoPPA will begin the process of securing the necessary licenses and approvals.
  - FoPPA will contract qualified personnel to provide the utmost care to the collection.
  - FoPPA will acquire necessary insurances.
  - FoPPA will transfer all utilities into the name of the organization.
6. FoPPA Organizational Structure:
- The Board of Directors will govern the operational and fundraising responsibilities per their Articles of Incorporation, Bylaws, Policies & Procedures, and the Lease Agreement including reporting metrics.
  - Assets will continue to be the property of the City of Walla Walla and will be cared for as outlined in the Lease Agreement.
  - The FoPPA Board meets monthly or as needed to handle the business of the association.
7. Expense detail:
- Contract Employee - Primary Caretaker - \$21,600 (\$1800 per month at 120 hours per month)
- Contract Employee - On Call Caretakers - \$6,000 (\$500 per month at 50 hours per month)
- Contract Employee - Admin Support - \$4,620 (\$385 per month at 32 hours per month)
- Lease - \$1
- Liability Insurance - \$2100
- Board Insurance - \$1000
- Professional Services - \$1200 - Veterinarian
- Printing - \$750 – Brochures & Certificates
- Utilities - \$1750 – gas, water, electricity
- Equipment - Supplies (Birds) - \$9000 – Feed & bird supplies
- Office Supplies - \$500
- Miscellaneous Expenses - \$500 – mileage, uniforms
- Fundraising Expenses - \$5000 – mailing, printing
- Total expenses - \$54,021
8. Income detail:
- Bird Sales - \$2500
- May Yard Sale - \$2500
- Friendships - \$18,000 (150 at \$120)
- Fall Event - \$7500

**WALLA WALLA CITY COUNCIL MINUTES**  
**FEBRUARY 26, 2014**  
**PAGE 8**

General Donations / Appeal - \$12,500

City Allocation - \$15,000

Total Income - \$58,000

Less expense - \$54,021

Difference - \$3,979 to reserves

9. Operational fundraising and fundraising to-date.
10. Support for the larger pond capital improvement project.
11. Methods for capital fundraising.

There was discussion on:

- FoPPA are collecting pledges and not money for the capital improvements. If the necessary funds are not raised, FoPPA will not be in the position of trying to refund donations.
- City staff will try to keep the birds safe until the net pen can be reconstructed. Bidding and construction are dependent upon when access to the stream is available, which will probably be July or August 2015.
- Long-term fundraising, the requested \$15,000 annual allocation from the City, and whether the proposal is feasible for long-term operations.
- The tremendous showing of support on social media and by attendance at the Council meeting.
- Feasibility of a bond issue for the electors if aviary operations are assumed by FoPPA. Staff responded that a bond measure would not be financially feasible for a project of this size.
- No one wants to see the aviary go, but the Council must make hard decisions on which services to fund.

Mayor Pro Tem Plucker invited public input and noted that the presence of the number of people in attendance tonight makes a clear statement to the City Council.

Richard McFarland, 3731 Middle Waitsburg Road, Walla Walla, asked if there are strings attached to the insurance proceeds that would not allow it to be spent elsewhere.

Donna Johannessen, 1427 Boyer, Walla Walla, expressed appreciation for the past citizens for their vision in developing the aviary and asked Council to keep this vision alive for the next 100 years.

Jean Dolling, 208 Detour Road, Walla Walla, didn't believe that in-stream work should be an issue in the reconstruction of the net pen.

**WALLA WALLA CITY COUNCIL MINUTES  
FEBRUARY 26, 2014  
PAGE 9**

Annette Craig, 1873 Rustic Place, Walla Walla, commended the support of the community for saving the aviary.

Kenneth Moen, 2 E. Birch #412, Walla Walla, commented that he came from a small town and the community was invested in community-wide projects. Mr. Moen felt that the City could work with businesses to support and make contributions to the aviary.

Geraldine Seachris, Touchet, felt that the aviary has been a high point in many children's lives and should be kept for the generations to come.

Craig Keister, 761 Abbott Road, Walla Walla, commented that the aviary had been maintained by the City for the previous thirty years and the community has been maintaining it for the last three years. Mr. Keister asked the City Council to let the community decide whether to keep the aviary or not.

**Councilmember Clark moved to establish a six-month moratorium to stop the implementation of the City Council decision on February 12 to cease operation of the aviary to allow the Friends of the Pioneer Park Aviary to raise the necessary funds, with the understanding that additional terms would be negotiated at the time of the lease. Councilmember Barrow seconded the motion.**

Council clarified that staff can begin work on the terms of the lease during the six-month moratorium.

**The motion to establish a six-month moratorium to stop the implementation of the City Council decision on February 12 to cease operation of the aviary to allow the Friends of the Pioneer Park Aviary to raise the necessary funds, with the understanding that additional terms would be negotiated at the time of the lease unanimously carried with 6 yes votes and 0 no votes.**

Council commented that this decision is the best of all possible outcomes as it serves those citizens both for the continued operation of the aviary and those citizens that don't believe the City should continue funding the aviary.

**7. COUNCIL MEMBER MEETING REPORTS**

Councilmember Morgan reported attendance at the Valley Transit Board meeting held February 20; and commended the Parks & Recreation Department for the Father-Daughter dance held at Garrison Middle School.

Councilmember Jenkins had no meetings to report.

Councilmember Barrow reported attendance at the Blue Mountain Action Council succession committee meeting held February 21; the Infrastructure Improvement Committee meeting held February 25; the Citizen Police Academy on February 18 and February 25; and the Transportation Benefit District Board meeting held February 26.

Councilmember Clark reported she attended the morning KUJ radio show on February 14 but no one was at the studio; and she was unable to attend the February 19 Civil Service Commission meeting.

Councilmember Pomraning reported attendance at the Ipad training at the library on February 15; and the Good Roads Association meeting held February 19.

Mayor Pro Tem Plucker reported attendance at the Valley Transit Board Meeting held February 20; and the Transportation Benefit District Board meeting held February 26.

**8. UNFINISHED AND NEW BUSINESS**

**Councilmember Barrow moved to excuse the absence of Jerry Cummins as he was attending to business in Olympia on behalf of the City. Councilmember Clark seconded the motion. The motion unanimously carried with 6 yes votes and 0 no votes.**

**9. ADJOURNMENT**

**There being no further business, the meeting adjourned at 8:22 p.m.**